

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Heiko SCHLEUCHER

Application No.: 10/541,015

Group No.: 3653

Filed: 06/28/2005

Examiner: Not Yet Assigned

For: REEL CONSISTING OF A METAL STRIP WITH LOOPS

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION TO MAKE SPECIAL FOR NEW APPLICATION
UNDER M.P.E.P. § 708.02, VIII**

1. Petition

Applicant hereby petitions to make this new application, which has not received any examination by the Examiner, special.

2. Claims

All the claims in this case are directed to a single invention. If the Office determines that all the claims presented are not obviously directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status. If claim 8 is found not to be examinable in this case with claims 1-7, then applicant hereby elects claims 1-7 for the prosecution of this case.

3. Search

A search has been made by a professional searcher; the European Patent Office; and the German Patent Office of claims substantially similar to those in the present application:

Field of search class 242 subclasses: 580, 172, 125.3, 393, 405.1, 414, 604.1, 613.1
(for professional
 search):

4. Copy of references

There is submitted herewith a copy of the references deemed most closely related to the subject matter encompassed by the claims.

Also attached is Form PTO-1449. (PTO/SB/08A)

5. Detailed discussion of the references

There is submitted herewith a detailed discussion of the references, which discussion particularly points out how the claimed subject matter is distinguishable over the references deemed most closely related to the subject matter encompassed by the claims.

Also attached is an Information Disclosure Statement which includes the patents of the detailed discussion as well as additional patents that are provided to show the state of the art.

6. Fee

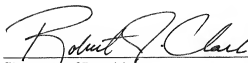
The fee required by 37 C.F.R. 1.17(h) \$130.00 is to be paid by:

Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 15-0450.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Date: June 26, 2006

Reg. No.: 45,835
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Appl. No : 10/541,015
Applicant : Heiko Schleucher
Filed : June 28, 2005
T.C./A.U. : 3653
Examiner : Not Yet Assigned

Confirmation No. 1966

Docket No. : 200558.00008
Customer No. : 021324

Commissioner of Patents
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Detailed Discussion of the References under MPEP 708.02, VIII

Sir:

This paper is filed with a petition to make special under MPEP 708.02 VIII.

Remarks begin on page 2 of this paper.

REMARKS

Below is listing of the references deemed most closely related to the subject matter encompassed by the claims. These references are submitted in an Information Disclosure Statement filed concurrently with this paper. Additional references that were found in a search commissioned by the Applicant and references from the German Patent Office search report are provided in the Information Disclosure Statement but not discussed below as being merely representative of the prior art and significantly less relevant than references discussed below.

LISTING OF REFERENCES

US 2,868,370

US 3,176,932

US 4,534,522

US 4,858,977

EP 0 664 406 A1

DISCUSSION

US 2,868,370 - This patent was cited by the European patent office and is entitled Device For Packaging Coiled Material. The patent discloses elongated retaining ties used to secure bundles of coiled wire that are not coiled about a reel. Each retaining tie has a hook at one end that secures the tie about the width of the coiled material and an eye at the other end that attaches to a wire or chain that secures the tie in place. The retaining tie disclosed in US 2,868,370 is designed to secure the exterior of the coil using a plurality of retaining ties spaced about the coil without regard to the free end of the coil. The retraining ties restrain each coil of the exterior coils. The retaining ties of US 2,868,370 are quite different than the clip reel and securing element of the present invention which utilizes a clip line coiled about a reel and a securing element designed to secure two elevated portions of coiled clips and thus is able to prevent the entire coil from unwinding by using just two spaced points on the metal strip. It is not necessary in the present invention to secure the entire outer diameter of free coiled wire. The securing element of the present invention can be manufactured of one piece in plastic provide an inexpensive part. Accordingly, the clip reel and securing element of the present invention is believed to be distinguished over US patent 2,868,370.

US 3,176,932 - This patent was cited by the European patent office but otherwise is not particularly relevant. US patent 3,176,932 is entitled Spool For Wire and discloses a wire spool that utilizes conical flanges 22,24 and radially intumed beads 28, 30. The purpose of the rounded beads is to prevent any tangling or binding of loose wire coils. The large diameter of the beads helps prevent loose coils from leaving the spool, however once a coil becomes larger than the diameter of the bead, there is nothing to keep the loose coil on the spool (see column 3, lines 40-58). The spool of the US patent 3,176,932 does not utilize any separate device for preventing the wire from becoming loose and/or unwinding as is required in the present invention. Accordingly, the clip reel and securing element of the present invention is believed to be distinguished over US patent 3,176,932.

US 4,534,522 - This patent was filed in a patent search conducted by the applicant's representative and is entitled Spool Retaining Device. The spool retaining device is designed to allow the spool to be unwound without the remainder of the coil becoming loose. The device is designed to engage the coil of the unwinding end of the spool such that the line of the coil is wound through a first aperture, positioned once around the spool, and the unwinding end positioned through a second aperture. The positioning of the device on the last coil allows the device to play out the line when the line is pulled. The device of US patent 4,534,522 is completely different than the present invention which is designed to prevent a reel having a clip line from unwinding. The method of the present invention is different as well in that the free end of the clip line is threaded into the lug end of the securing element of the present invention and then the clip end of the securing element is clipped to an elevated portion of a different coil than the coil of the free end. Accordingly, the clip reel and securing element of the present invention is believed to be distinguished over US patent 4,534,522.

US 4,858,977 - This patent was cited by the European patent office and is entitled Self-Attaching Linking Device. The device has a U-shaped loop member adjacent a swivel hook. The U-shaped loop member is designed to be opened with the removal of a fastening member. The device is made of metal and several variations are shown of the device of increasing complexity and multiple pieces. The device would not be suited for use with a clip reel as in the present invention as

it would not extend from one clip loop to another clip loop in a manner preventing unwinding of the clip line and the U-shaped element is not suitable for threading a clip line there through. The present invention relates to a clip reel, a clip line, and the securing element. The securing element of the present invention is a simple one-piece design wherein a lug end is separated from a clip end by a shaft extending such that the ends can be attached to different coils on the clip reel. Accordingly, the clip reel and securing element of the present invention is believed to be distinguished over US patent 4,858,977.

EP 0 664 406 A1 - This patent was also cited by the European patent office and is entitled Molded Synthetic Resin Belt Connecting Device and Method of Producing the Same. The device is designed and intended to be used with a molded synthetic resin belt and comprises a first attachment member having a U-shaped frame and a shaft rotatably supported therein across the legs of the U-shaped frame and supporting a hook swivelably supported on the roller member. The design is fairly complex and like the previous patent would be unsuitable for use with a clip reel as in the present invention as it would not extend from one clip loop to another clip loop in a manner preventing unwinding of the clip line. The U-shaped frame and shaft is suited for a resin belt and not for a clip line as in the present invention. The present invention relates to a clip reel, a clip line, and the securing element. The securing element of the present invention is a simple one-piece design wherein a lug end is separated from a clip end by a shaft extending such that the ends can be attached to different coils on the clip reel. Accordingly, the clip reel and securing element of the present invention is believed to be distinguished over European patent application EP 0 664 406 A1.

Corresponding European patent EP1567418

It is further noted that the corresponding European patent application EP1567418 of the present invention has been granted by the European patent office as of March 22, 2006. While such a grant is not binding on the US patent office, it is presented herein as further evidence of the patentability of the present invention over the prior art.

Prompt consideration of this application and allowance of the claims are requested. If the Examiner should have any question regarding this application or the amendment, a call to Applicant's attorney would be appreciated.

Respectfully submitted,

HAHN LOESER & PARKS, LLP

By

A handwritten signature in dark ink, appearing to read "Robert J. Clark", is written over a horizontal line.

Robert J. Clark

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